



**SWABEY
OGILVY RENAULT**

PATENT & TRADE-MARK AGENTS

✓ Sector
\$
#5

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Montreal, September 21, 2001

HAND-DELIVERED

Commissioner of Patents and Trademarks
Washington, D.C. 20231
U.S.A.

U.S.A. - Patent Application
09/863,904 - filed May 24, 2001
"METHOD FOR MODELING THE TRANSPORT
OF IONS IN HYDRATED CEMENT SYSTEMS"
Inventors: Jacques Marchand et al.
Applicant: SIMCO Technologies Inc.
Our Reference: 15200-1US JA/IC/mp

Sir:

This is in response to the Office letter dated July 24, 2001.

We are now submitting the requested Figure 20 and the signed declaration. We are also submitting evidence that Figure 20 was in fact deposited on May 24, 2001.

We are enclosing our Cheque No. 009485 in the amount of \$550.00 in payment of the Basic Filing Fee for a small entity (\$355.00), Fee for Late Filing of the Declaration (\$65.00) and Petition Fee under 37 CFR 1.17(h) (\$130.00). Any deficiencies in the fees should be charged to our Deposit Account No. 19-5113.

Respectfully submitted,

James Anglehart (Reg. No. 38,796)
Attorney or Agent of Record
SWABEY OGILVY RENAULT
1981 McGill College Avenue, Suite 1600
Montreal, Quebec, Canada H3A 2Y3
Tel. (514) 847-4244

Enclosures: Signed Declaration
Petition
Evidence of filing of Figure 20
Cheque No. 009485 - \$550.00
Part 2 - Form PTO-1533 (two copies)
Post Card

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OCT 31 2001

**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/863,904	05/24/2001	Jacques Marchand	15200-1US JA/IC

020988
SWABEY OGILVY RENAULT
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MONTREAL, QC H3A2Y3
CANADA



CONFIRMATION NO. 9355

FORMALITIES LETTER



OC000000006334644

Date Mailed: 07/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

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An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.**

09/25/2001 HABRHAH1 00000021 09863904

The following item(s) appear to have been **omitted** from the application:01 FC-201
02 FC-203355.00 OP
65.00 OP

- Figure(s) **20** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

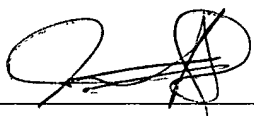
II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR**

1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final vertical stroke.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05PM

SWABEY OGILVY & MATTHEW 514 288 8389

NO. 0711 P. 2/22

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0851-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

sign (+) inside the box →

MAY 24 2001

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for non-provisional applications under 37 C.F.R. § 1.53(b)

First Inventor Docket No. 15200-1US JA/IC

First Inventor Jacques MARCHAND

Title METHOD FOR MODELING THE TRANSPORT OF IONS IN
HYDRATED CEMENT SYSTEMS

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231☐ *Fee Transmittal Form (e.g., PTO/SB/17)

(Submit an original and a duplicate for fee processing)

☒ Applicant claims small entity status.

See 37 CFR 1.27.

☒ Specification

[Total Pages 54]

(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix.
- Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 20]☐ Oath or Declaration [Total Pages 3]☒ Newly executed (original or copy)☐ Copy from a prior application (37 C.F.R. § 1.63(d))

(for continuation/divisional with Box 18 completed)

☐ **DELETION OF INVENTOR(S)**Signed statement attached deleting
inventor(s) named in the prior application.
See 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).☐ Application Data Sheet. See 37 CFR 1.76.

- ☐ CD-ROM or CD-R in duplicate, large table or Computer program (Appendix)
8. ☒ Nucleic Acid Sequence Submission
- a. ☐ Computer Readable Copy
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. § 3.73 (b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____

Prior application Information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

020988

PATENT AND TRADEMARK OFFICE

Name

Address

City

State

Postal Code
or Zip Code

Country

Telephone

514-845-7126, EXT. 3083

Fax

514-288-8389

Name (Print/Type)

JACQUES MARCHAND

Registration No. (Attorney/Agent)

38,796

Date

May 24, 2001

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(please place mailroom date stamp here)

**SWABEY
OGILVY RENAULT**

S.E.N.C.

PATENT AND TRADEMARK AGENTS

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Suite 1600
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☎ (514) 845-7126 – Fax: (514) 288-8389

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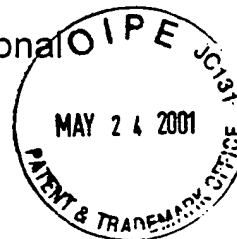
1003

Agent's file reference: 15200-1US JA/IC/mp

Ser. No. and filing date (if known): /

TYPE OF DOCUMENT SUBMITTED

- ☒ Patent application ☐ Provisional ☒ Nonprovisional
☐ Response to NOTICE TO FILE MISSING PARTS
☐ IDS ☐ Response to office action
☐ Issue fee ☐ Formal drawings
☐ Other:



CONTENTS OF SUBMISSION

- ☐ specification having pages (no claims)
☒ specification having 54 pages and 20 claims
☒ 20 sheets of INFORMAL drawings
☒ UNSIGNED inventor declaration with 0 signature(s)
☐ assignment(s) and assignment recordal sheet(s) (in number)
☐ cheque number in amount of
☐ response with pages
☒ other item with 1 page and described by:

Patent Application Transmittal Form

confirmation postcard (to be prepared by Patent Providers)

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Time and date of delivery:

- ☒ This sheet must be stamped by mailroom and returned to us by fax the same day
☒ Please call Isabelle at 514-845-7126 ext 3060 immediately to confirm filing.

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: _____		2 Serial/Patent # <u>09/863904</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition			\$ <u>130.00</u>
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	Maintenance			\$
	Assignment			\$
	Other			\$
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		9 <u>19--5113</u>		
10 REASON:				
	Overpayment			
	Duplicate Payment			
<input checked="" type="checkbox"/>	No Fee Due (Explanation):	<u>Petition Reconsidered by Office exam</u>		
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>GILLMAN, J</u>		TITLE: <u>ASSY</u>		
SIGNATURE: <u>[Signature]</u>		PHONE: <u>305-9199</u>		
OFFICE: <u>OP</u>				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: <u>Alicia Kelly</u>		DATE: <u>1-8-02</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: